

NEWSLINE RADIO - CBBS EDITION #101 - POSTED 12/05/93

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The following is late news about Amateur Radio for Radio Amateurs as prepared from NEWSLINE RADIO scripts by the staff of the AMATEUR RADIO NEWSLINE, INC. -- formerly the WESTLINK RADIO NETWORK. The electronic version of newslines is posted on this CBBS twice monthly. For current information updates, please call

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For further information about the AMATEUR RADIO NEWSLINE, please write to us with an SASE at P.O. Box 463, Pasadena, CA

91102.

Thank You
NEWSLINE

Some of the hams of NEWSLINE RADIO...

WA6ITF WB6MQV WB6FDF K6DUE W6RCL N6AHU N6AWE N6TCQ K6PGX N6PNY
KU8R N8DTN W9JUV KC9RP K9XI KB5KCH KC5UD KC0HF G8AUU WD0AKO DJ0QN
and many others in the United States and around the globe!!!

[851]

* * * * C L O S E D C I R C U I T A D V I S O R Y * * * *
* *
* The following is a closed circuit advisory and is NOT *
* for transmission over amateur radio. Repeat, NOT for *
* broadcast. This is just a reminder that the address for the *
* Newsline Support Fund is: *
* *
* Newsline *
* c/o Dr. Norm Chalfin / K6PGX *
* P.O. Box 463 *
* Pasadena, California *
* 91102 *
* *
* Again and as always, we thank you. That ends the closed *
* circuit with Newsline report number 851 for release on *
* Friday, December 3rd, 1993 to follow. *
* *
* *

INDECENCY RULE OVERTURNED

A federal appeals court has declared as being unconstitutional an FCC regulation that governs the hours when indecent language can be broadcast over the airwaves. This legal finding will definitely have a negative impact on efforts to remove potty mouthed hams from the amateur radio bands.

On Tuesday, November 23rd, the United States Court of Appeals for the District of Columbia found that while the government has a legitimate interest in protecting children from indecent programming, but in doing so the regulators went too far in abridging the First Amendment rights of adults. The court said

that the government has not demonstrated what it called a compelling nature of any interest in suppressing what it deems as being constitutionally protected material. This, in order to protect the abstract privacy of the home at the expense of the First Amendment rights of a given homes inhabitants.

The court went on to say that restrictions placed on any First Amendment freedom, even when imposed in the best interest of children, must be very narrowly tailored and no more burdensome than necessary to advance any goal of protecting those who are legally minors. The three member panel also stated that if the FCC insists on enforcing any programming restrictions, that it must first conduct a full and fair hearing to determine the exact hours in which the agency can ban programing that contains indecent language or meaning.

The decision will most assuredly impact on efforts to rid the amateur radio bands of the growing number of operators who use what many consider considered to be indecent language in their on-air QSO's. This is because the FCC takes the position that a regulation governing any one service is usually applicable to any other service. In the past few years the Commission has been hesitant to act on indecency cases in any personal radio because of the legal findings in broadcast cases. Unless there is a clear mandate from congress to take on the problem of obscenity in private radio transmissions, there is now little hope of ever removing hams who use objectionable language from our air.

OTHER RELATED COURT ACTIONS

In two other related decisions, the court overturned an amendment offered in the Senate by Jessie Helms of North Carolina that permitted cable TV system operators to prohibit sexually explicit programming on public, educational and government channels. The court also took up the question of children rights by asking the FCC to reconsider its rule requiring cable systems to provide a blocking device to parents who wish to restrict indecent programming.

But the FCC has vowed to continue its crackdown on indecent broadcasting during the daytime and early evening under an older rule that the court has left in place. This rule restricts the broadcast of indecent material between the hours of 6 am and 8 pm. Broadcast and other civil rights advocates are expected to now file a legal challenge against this regulation as well.

HUNDT CONFIRMED

The US Senate has confirmed President Bill Clinton's

nomination of Reed Hundt to be the new chairman of the Federal Communications Commission. Approval came early on Saturday November 20. Hundt is an attorney by profession. Until confirmation he was a partner in the Los Angeles based law firm of Lathem and Watkins working out of their Washington, DC office. Hundt says that his main goal once he assumes the FCC leadership post is to stoke up the engines on the information super highway that President Clinton has envisioned coming to the nation over the next few years.

FCC-VACANCY MAY GO TO OREGONIAN

Joan H. Smith has emerged as a front-runner to fill the vacant Republican seat on the Federal Communications Commission. Smith 51, says she has no idea whether she will be nominated to the position left vacant earlier this year by the resignation of Sherrie Marshall but she has already garnered the support of Oregon Gov. Barbara Roberts, and her predecessor, Neil Goldschmidt and Rep. Ron Wyden. Roberts, Goldschmidt and Wyden are all Democrats while Smith is considered to be a moderate to liberal Republican. Smith has also won the endorsement of two of the nation's governors.

NEW SERVICES AUTHORIZED AT 2 GHZ

The FCC has begun the allocation of spectrum at 2 Gigahertz for use by an array of voice, data and video communications. They began by assigning 120 MHz worth of spectrum in new subbands from 1850 to 2200 MHz to accommodate a wide variety of Personal Communications Service -- or PCS offerings. This 120 MHz will be channelized into four frequency blocks of 10 MHz each, one 20 MHz wide frequency block and two 30 MHz wide frequency blocks. Eventually, PCS licensees will be permitted to share up to 40 MHz of spectrum in any one given service area.

The FCC says that it plans to license broadband PCS systems in both the fifty-one major trading area based service areas and in another 492 basic trading areas as well. This they say will insure that the Personal Communications Service is given the potential for full competition with similar services including cellular telephone and land mobile radio. The FCC adds that all PCS licenses will be issued with a full ten year term.

REPEATER vs. REPEATER LAW SUIT BEING READIED IN SOCAL

A Southern California radio club that claims its repeater has

been invaded by undesirable operators from another repeater appears to be getting ready to take those unwanted users into court. The November 26th edition of the Westlink Report ham radio newsletter reports that a William Wetzel, N6RKY has posed an "ALL-US" packet radio message titled "How To Fight Lids." Westlink Report says that Wetzel's posting seems to indicate that the Claremont amateur Radio Club, better known as CLARA, now has a Legal Defense Fund which is being utilized to defend their members, resources, and commitments from what the club sees as the malicious jamming and harassment the organization has been subject to since January of this year.

N6RKY notes that the reason for the legal action is being contemplated is because the CLARA repeater group is and we quote "... currently under siege from an organized attack..." from what he terms as "...a known lid repeater." The repeater he is referring to is the so-called "Animal Farm" system operating on the oddball channel pair of 147.435 and 146.40 Mhz. As previously reported, this is a repeater that is inhabited primarily by unlicensed persons mixed with others who at times describe themselves as being counter culture licensed hams.

In recent months, many of the old-time .435 users have left the system due to the unchecked influx of bootleggers, jammers and foul-mouth operators. They have migrated to several other repeaters, including CLARA, and have been followed by many of the unlicensed operators.

Tiring of the situation and seeing no assistance coming from the FCC, the Claremont Repeater Association appears to be taking matters into its own hands. Wetzel says that its is readying legal challenges to those whom the club and its members do not want operating on its repeater or repeater channel pair.

N6RKY believes that if not checked in California, what he terms a .435 like situation could easily spring up in any city across the nation. For that reason he posted the notification of the establishment of the legal defense fund to be used to run the alleged renegade operators off of the CLARA repeater, and, hopefully, off the air. He notes that this fund is "not for profit" and will be used only for legal costs incurred in the channel clean up project.

REPEATERS DAMAGED IN SOCAL FIRESTORMS

The tally is now in on the repeaters that were lost during the fall fire storms that recently swept through Southern California. According to Karl Pagel, N6BVU who is active in frequency coordination matters, all of the systems lost were atop one hill known as Razno Peak. Razno is in the Malibu area and the system hardware lost included WB6RHQ's 6 meter autopatch on 51.94 Mhz

along with his system hub for the famous Condor Connection area wide intertie on 224.90 Mhz. Also lost was the N6JMI repeater on 147.885 MHz, the N6CFC autopatch on 223.94, WA6COT's 448.750 Mhz repeater and much of the Cactus Radio Network interlinking equipment also on the hill. In addition to the half dozen ham radio installations, a local FM radio station, several satellite TV terminals and a high channel cable system head end serving 65,000 customers. Repairs are already underway to most of the repeaters damaged or destroyed by the Malibu blaze.

NO MORE R/S CHARGE

Radio Shack is no longer charging for their catalog! According to sales personnel at their Saugus, California retail outlet, all stores were notified on Friday, November 5 to discontinue any direct to customer charge for the 1993-1994 product listing book. They were instructed instead to remove the \$3.00 discount certificate located between pages 170-171 and to ring the sale using the coupon as payment for the catalog. Only the \$3.00 coupon is removed; the remaining three coupons can be used immediately or at a later date by the customer. The salesman we dealt with could give no reason for the decision by Tandy to discontinue the \$2.95 cash charge for the catalog.

LTRN CHANGING

The satellite delivered Lets Talk Radio Network that serves the special interests of all radio enthusiasts nationwide is looking for a new home.

The Lets Talk Radio Network was looking for a new home. However as of November 30th it became homeless. In fact according to its founder Blair Alper, KA9SEQ, LTRN is gone. This low budget network specialized in computer and radio hobbyist programs like This Week in Amateur Radio. LTRN operated for 18 months on the GTE Spacenet 3 communications satellite. Alper was unable to renew his lease with the Pass Sports Channel out of Detroit, Michigan. He was likewise unsuccessful in negotiating a satisfactory one elsewhere. Apler does not know what will become of This Week In Amateur Radio. However after the demise of LTRN he replied and we quote --- "We kept the Lets Talk Radio Network in the sky as long as we could and are proud to have disseminated some worthwhile information." end quote.

RADIO PROGRAM GOING NATIONAL

A local radio program about Amateur Radio has gone nationwide. On Sunday, November the 28th, Ham Radio and More, hosted by Len Winkler, KB7LPW, of KFNN in Phoenix, Arizona, became available to the 82 member stations on the Talk America Network. Winklers show is now in its third year on KFNN Its a non-technical and intended to appeal to licensed amateurs as well as the general public. Well-known amateurs as frequent guests. Ham Radio and more airs or two hours in Phoenix, but the but the network version is only 60 minutes long.

Amateurs can find out the call signs of stations in their area affiliated with Talk America Network by calling KFNN at area code (602) 241-1510. The show also can be heard via satellite on Satcom C5, Transponder 19, 6 MHz audio, and on Galaxy 2, Transponder 3, Channel 55.4.

OMAHA NET

Here is an invitation to all of our listeners. You are all invited to participate in the Omaha 10 Meter Zero Net on Sunday evenings at 00:00 UTC on 28.400 from Zero land. This 10 meter phone net meets weekly and is looking to include some DX stations from outside of the immediate area. Immediately following the Zero Net is the Slow Code Practice Net on 28.125 originating from Omaha as well. Two solid hours of 10 meter fun from the heartland of America.

AMATEUR RADIO NEWS SERVICE

The Amateur Radio News Service is again soliciting club newsletters for its annual competition. The contest is open to all Amateur Radio clubs and organizations except general circulation magazines and professional journals. Its purpose is to give recognition to superior performance in Amateur Radio journalism. Editors must submit at least one copy of any issue of their newsletter dated from July 1992 through December 1993. They will be entered in the contest and also will receive a rating of their work from the ARNS judging committee. Entries go to ARNS, %Lee Knirko, W9MOL, 11 South LaSalle Street, Chicago, Illinois 60603.

DX

In DX, word that Midway Island as KH4/N7TNL is now active with Scott slated to be there until January 6th. N7TNL traveled to the island with a Kenwood TS-430, along with a few accessories,

but a stateside support group will be sending him some more equipment. Scott is with the U.S. Fish & Wildlife Service and hopes to be active as much as possible. QSL via W100.

Also, word that VK4CRR, will be active from Christmas Island as VK9X0 together with W5KNE who is signing VK9XN. Both will be operational through December 11th. VK4CRR also says that the cards for the VK9MM operation will be mailed out in the first part of January and not early December as previously announced.

STERN

Finally we started this weeks newscast by reporting on the court of appeals finding dealing with the broadcasting of indecent language. We will end on the same note with word that Radio Shock-Jock Howard Stern may also be a beneficiary of the Washington court's ruling. An attorney representing the coalition of broadcasters that successfully challenged the governments ban on broadcast indecency is calling for the Commission to invalidate the one million, two hundred thousand dollars in fines levied against radio stations that carry Stern's syndicated radio program. In many markets, the controversial Stern talk show is aired in the early morning when young children may be listening in. A number of stations have been fined for airing what the FCC considers to be legally indecent material in the hours when young children might be listening in.

The broadcasters say that the court finding totally vindicates both Stern's use of the language and their right to air what Stern has to at anytime they wish, but the FCC says otherwise. Outgoing interim Chairman James Quello told the media that the broadcast violations involving the Howard Stern program took place between 6 am and 8 pm. These are the hours governed by the old rule protecting children, and the rule that was in place at the time the alleged violations occurred. Quello says that the FCC is still going to pursue the case.

For this week, that's all from the Amateur Radio Newsline. You can write to us at:

NEWSLINE
P.O. Box 463,
Pasadena, CA
91102

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